

02-11-09

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Response Under 37 C.F.R. 1.116
EXPEDITED PROCEDURE
Examining Group: 1643

PATENT AX0001ID

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Pingyu Zhong, et al.
Serial No.: 10/723,434
Date Filed: November 26, 2003
For: HUMANIZED ANTIBODIES AGAINST VASCULAR ENDOTHELIAL GROWTH FACTOR

Examiner: Bradley Duffy

Art Unit: 1643

February 10, 2009

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AFTER FINAL

Sir:

This is in response to the Office Action mailed November 13, 2008, having a shortened statutory period for reply which expires on February 13, 2009. Applicants respectfully request that this submission, which cancels rejected claims, and puts the subject matter under examination in condition for allowance be considered and entered into the record.

In the event, that any additional extension of time is deemed required, please treat this paper as a request under 37 C.F.R. §1.136(a) to charge Deposit Account No. 13-2755 the appropriate large entity fee, referencing attorney docket number AX0001ID, in order to avoid abandonment.

Amendments to the Claims begin on page 2 of this submission.

Remarks/Arguments begin on page 9 of this paper.

EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT February 10, 2009

EXPRESS MAIL NO. EM 046774894 US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE" ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450, ON THE DATE APPEARING BELOW.

MERCK & CO., INC.

BY:

Kathy Klutkowski

DATE: February 10, 2009